

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**MONICA BIRCH-MIN and
AUNG MIN**

Plaintiffs,

V.

**MIDDLESEX COUNTY BOARD
OF SOCIAL SERVICES, PLAINSBORO
POLICE DEPARTMENT, ADULT
PROTECTIVE SERVICES AND
DOES 1 through 100, inclusive**

Defendants.

Civil Action No. 14-476 (FLW)

MEMORANDUM OPINION
AND ORDER

This matter comes before the Court on Plaintiffs’ Motion, entitled “Motion to Correct the Record” [dkt. 3]. In their Motion, Plaintiffs request leave to amend their Complaint, specifically paragraphs 23 and 24, to correct “typographical errors as to the amount of damages claimed.” Id. at p. 1. Plaintiffs also seek to correct the Civil Cover Sheet to assert a claim of \$800,000 in damages, rather than the \$350,000 listed currently. Id. The Court finds that this Motion is more appropriately decided as a Motion to Amend. Defendants have not opposed this Motion. For the reasons discussed below, Plaintiffs’ Motion is **GRANTED**.

Federal Rule of Civil Procedure 15 governs amendments to pleadings. According to the Rule, a party may amend its pleading “once as a matter of course . . . within 21 days after serving it.” Fed. R. Civ. P. 15(a)(1). Plaintiffs filed the Complaint on January 16, 2014 [dkt. no. 1]. Summonses were issued on January 24, 2014 [dkt. no. 2]. The present Motion, which seeks to amend the amount of damages sought in the Complaint, was filed on February 7, 2014 [dkt. no.

3], which is within the 21-day time period prescribed by Rule 15 and also prior to Defendants' Answer [dkt. no. 4]. Accordingly, Plaintiffs' Motion is **GRANTED**.

The Court has considered the papers submitted pursuant to FED. R. CIV. P. 78 and, for the reasons set forth above;

IT IS this 17th day of March, 2014,

ORDERED that Plaintiffs' Motion to Correct the Record [dkt. no. 3], more properly understood as a Motion to Amend the Complaint, is **GRANTED**. The Amended Complaint must be filed by March 26, 2014.

Dated: March 17, 2014

s/ Douglas E. Arpert
DOUGLAS E. ARPert, U.S.M.J.